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JUN 30 2005

Attorney's Case No.: 1-730

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kenneth W. Gatten      Examiner: Robert G. Santos  
Serial No: 10/659,186      Art Unit: 3673  
Filed: September 10, 2003      Confirmation No.: 7490  
Title: Cooling Mattress for Sunbathing

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AMENDMENT AFTER FINAL REJECTION

Dear Sir:

In response to the Office Action dated March 30, 2005, said action being final, Applicant respectfully requests entry of the following Introductory Comments, Amendments to the Claims, and Remarks.

Introductory Comments are on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims that begins on page 3 of this paper.

Remarks begin on page 5 of this paper.

Adjustment Date: 08/18/2005 SDIRETA1  
5/30/2005 TL0111 00000040 082733 10659186  
FC:2809 395.00 CR

06/30/2005 TL0111 00000040 082733 10659186  
01 FC:2809 395.00 DA

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Attorney's Case No.: 1-730

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Applicant: Kenneth W. Gatten

Examiner: Robert G. Santos

Serial No: 10/659,186

Art Unit: 3673

Filed: September 10, 2003

Confirmation No.: 7490

Title: Cooling Mattress for Sunbathing

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attention: Refund Section, Accounting Division,  
Office of Finance

REQUEST FOR REFUND

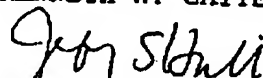
Dear Sir:

1. The above patent application was filed September 10, 2003.
2. A final rejection issued March 30, 2005. An amendment after final rejection was filed June 30, 2005, within the 3-month response period.
3. A fee transmittal accompanied the filing of the amendment authorized payment of \$395.00 from our deposit account 08-2733 for "1.17(r) filing a submission after final rejection".
4. The payment was made in error.
5. Applicant requests a refund of the 1.17(r) payment made June 30, 2005 in the amount of \$395.00 by crediting deposit account 08-2733 for that amount.

Respectfully submitted,

KENNETH W. GATTEN

By

  
Jeffrey S. Habib, Esq.  
Attorney of Record  
Reg. No. 42,615

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## FAX COVER SHEET

FROM FAX NO. 717-232-8773

DATE: July 7, 2005

INFORMATION FROM: Jeffrey S. Habib

HOOKE & HABIB, P.C.

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HARRISBURG, PA 17101-2518

RECEIVING FACSIMILE NUMBER: 703-872-9306

COMPANY: U.S. Patent and Trademark Office

ATTN:

SUBJECT: Application No. 10/659,186  
Request for Refund - \$395.00

MESSAGE:

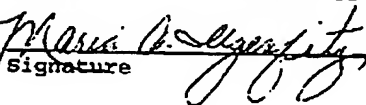
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I hereby certify that this Information Disclosure Statement is being facsimile transmitted to the United States Patent and Trademark Office (Fax No. 703-872-9306) on July 7, 2005.

Maria A. Ilgenfritz

(Typed or Printed Name of Person Signing Certificate)

  
Signature